



**Patent**

Docket Number: AM-00102.P.1-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	)	
	)	
Efimov et al.	)	Examiner: To be determined
	)	
Application No.: 09/805,296	)	Art Unit: To be determined
	)	
Filed: March 13, 2001	)	
	)	
For: OLIGONUCLEOTIDE	)	
ANALOGUES, METHODS OF	)	
SYNTHESIS, AND METHODS OF USE	)	
_____	)	

Assistant Commissioner for Patents  
Washington D.C. 20231

Sir:

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT  
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID  
SEQUENCE DISCLOSURES**

This response is being filed within two months of the mailing of the referenced Notice on February 15, 2002. Thus, this response is timely filed and no fee is deemed necessary.

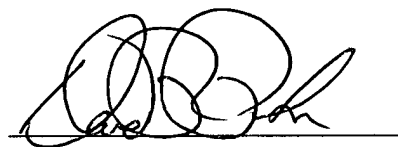
Enclosed are printed and electronic copies (electromagnetic and CD) of the SEQ ID LISTING prepared, validated using PatentIn and Checker software, the appropriate statements under 37 C.F.R. 1.821-1.825 and a copy of the referenced Notice.

It is respectfully requested that the attached postcard be stamped with the filing date and unofficial application number and returned as soon as possible.

Please apply any charges not covered, or any credits, to **Deposit Account 501321** in the name of **David R. Preston & Associates** having **Customer No.: 24232**.

Respectfully submitted,

Date: Feb 22, 2002

A handwritten signature in black ink, appearing to read 'David R. Preston', written over a horizontal line.

David R. Preston

Reg. No. 38,710

David R. Preston & Associates, A.P.C.  
12625 High Bluff Drive  
Suite 205  
San Diego, CA 92130

Telephone: 858.724.0375

Facsimile: 858.724.0384



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/805,296	03/13/2001	Vladimir Efimov	AM-00102.P.1-US

CONFIRMATION NO. 2109

FORMALITIES LETTER



\*OC000000007485831\*

24232  
DAVID R PRESTON & ASSOCIATES  
12625 HIGH BLUFF DRIVE  
SUITE 205  
SAN DIEGO, CA 92130

Date Mailed: 02/15/2002

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d). Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

0590  
02/13/2002  
OIP E  
CRF Problem Report

The Scientific and Technical Information Center (STIC) experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 09/805,296B  
Filing Date: 3/13/2001  
Date Processed by STIC: 2/6/2002

STIC Contact: Mark Spencer, 703-308-4212

**Nature of Problem:**

The CRF (was):

- ☒ (circle one) Damaged or Unreadable (for Unreadable, see attached)  
☐ Blank (no files on CRF) (see attached)  
☐ Empty file (filename present, but no bytes in file) (see attached)  
☐ Virus-infected. Virus name: \_\_\_\_\_ The STIC will not process the CRF.  
☐ Not saved in ASCII text  
☐ Sequence Listing was embedded in the file. According to Sequence Rules, submitted file should **only** be the Sequence Listing.  
☐ Did not contain a Sequence Listing. (see attached sample)  
☐ Other: \_\_\_\_\_

**PLEASE USE THE CHECKER VERSION 3.1 PROGRAM TO REDUCE ERRORS.  
SEE BELOW FOR ADDRESS:**

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail. Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom. Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:  
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7<sup>th</sup> Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202  
Or  
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service , or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002

0420

0360

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number:	09/805,296
	Filing Date:	March 13, 2001
	First Named Inventor:	Efimov
	Group Art Unit:	To be determined
	Examiner:	To be determined
Total Pages in This Submission:	Attorney Docket Number:	AM-00102.P.1-US

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal, Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits / Declarations(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Requests	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Inclosures, identified below: Postcard CRF disk for SEQ ID LISTING (electromagnetic and CD) SEQ ID LISTING Statement under 37 CFR 1.821-1.825 Copy of Notice to Comply with SEQ ID Requirements
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Response to Missing Parts / Incomplete Application	Remarks:	
<input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual Name	D. J. Preston
Signature	<i>[Handwritten Signature]</i>
Date	Feb 22, 2002

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date.			Date:
Typed or printed name:			
Signature		Date:	

VIA HAND DELIVERY TO:

UNITED STATES PATENT AND TRADEMARK OFFICE  
 BOX SEQUENCE  
 CUSTOMER WINDOW  
 LOBBY  
 ROOM 1B03  
 CRYSTAL PLAZA TWO  
 2011 SOUTH CLARK PLACE  
 ARLINGTON, VA 22202

<b>FEE TRANSMITTAL</b>		Complete if Known	
Patent fees are subject to annual revision on October 1. These are the fees effective October 1, 1997. Small Entity payments <u>must</u> be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.		Application Number:	09/805,296
		Filing Date:	March 13, 2001
		First Named Inventor:	Efimov
		Group / Art Unit:	1651
Total Amount of Payment	\$ 0.00	Docket Number:	AM-00102.P.1-US



<b>METHOD OF PAYMENT</b>	
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number: <input type="checkbox"/> Deposit Account Name: <input type="checkbox"/> <input type="checkbox"/> Charge Any Additional Fee Required Under 37 C.F.R. §§ 1.16 and 1.17 <input type="checkbox"/> Charge the Issue Fee Set in 37 C.F.R. § 1.18 at the Mailing of the Notice of Allowance.	
2. <input type="checkbox"/> Payment Enclosed <input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other	

FEE CALCULATION						
1. BASIC FILING FEE						
	Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
	101	790	201	395	Utility Filing Fee	\$
	106	330	206	165	Design Filing Fee	\$
	107	540	207	270	Plant Filing Fee	\$
	108	790	208	395	Reissue Filing Fee	\$
	114	150	214	75	Provisional Filing Fee	\$
<b>SUBTOTAL (1)</b>						<b>\$0.00</b>

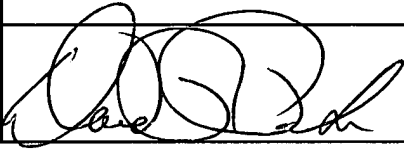
2. EXTRA CLAIM FEES								
				Extra Claims		Fee From Below		Fee Paid
Total Claims	[ ]	-20 **	Equals	[ ]	Times	[ ]	Equals	\$
Independent Claims	[ ]	-3 **	Equals	[ ]	Times	[ ]	Equals	\$
<b>Subtotal (2)</b>								<b>\$0.00</b>
** or number previously paid, if greater, For Reissues, see below								
	<b>Large Entity</b>		<b>Small Entity</b>		<b>Fee Description</b>			
	<b>Fee Code</b>	<b>Fee (\$)</b>	<b>Fee Code</b>	<b>Fee (\$)</b>				
	103	22	203	11	Claims in excess of 20			
	102	82	202	41	Independent claims in excess of 3			
	104	270	204	135	Multiple dependent claim, if not paid			
	109	82	209	41	** Reissue independent claims over original patent			
	110	22	210	11	** Reissue claims in excess of 20 and over original patent			



<b>3. ADDITIONAL FEES</b>					
<b>Large Entity</b>		<b>Small Entity</b>		<b>Fee Description</b>	<b>Fee Paid</b>
<b>Fee Code</b>	<b>Fee (\$)</b>	<b>Fee Code</b>	<b>Fee (\$)</b>		
105	130	205	65	Surcharge - late filing fee or oath	\$
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	\$
139	130	139	130	Non-English specification	\$
147	2,520	147	2,520	For filing a request for reexamination	\$
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	\$
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	\$
115	110	215	55	Extension for reply within first month	\$
116	400	216	200	Extension for reply within second month	\$
117	950	217	475	Extension for reply within third month	\$
118	1,510	218	755	Extension for reply within fourth month	\$
128	2,060	228	1,030	Extension for reply within fifth month	\$
119	310	219	155	Notice of Appeal	\$
120	310	220	155	Filing a brief in support of an appeal	\$
121	270	221	135	Request for oral hearing	\$
138	1,510	138	1,510	Petition to institute a public use proceeding	\$
140	110	240	55	Petition or revive - unavoidable	\$
141	1,320	241	660	Petition or revive - unintentional	\$
142	1,320	242	660	Utility issue fee (or reissue)	\$
143	450	243	225	Design issue fee	\$
144	670	244	335	Plant issue fee	\$
122	130	122	130	Petitions to the Commissioner	\$
123	50	123	50	Petitions related to provisional applications	\$
126	240	126	240	Submission of Information Disclosure Statement	\$
581	40	581	40	Recording each patent assignment per property	\$
146	790	246	395	Filing a submission after final rejection (37 C.F.R. 1.129(a))	\$
149	790	249	395	For each additional invention to be examined (37 CFR 1.129(b))	\$
Other fee (specify)					\$

* Reduced by Basic Filing Fee Paid	Subtotal (3)	\$ 0.00
------------------------------------	--------------	---------

4. SUMMATION OF FEES	
SUBTOTAL (1)	\$ 0.00
SUBTOTAL (2)	\$ 0.00
SUBTOTAL (3)	\$ 0.00
TOTAL FEES	\$ 0.00

SUBMITTED BY			Complete (If Applicable)	
Typed or Printed Name	David R. Preston		Registration Number:	38,710
Signature		Date: 2/22/02	Deposit Account User ID Number	501321